

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE VASO ACTIVE PHARMACEUTICALS) Consolidated Case No. 04-10708-RCL
SECURITIES LITIGATION)

**MOTION TO BE APPOINTED LEAD PLAINTIFFS
AND FOR APPROVAL OF LEAD PLAINTIFFS' SELECTION
OF LEAD COUNSEL AND LIAISON COUNSEL**

Class members Edwin Choi, Richard Ching and Joe Huback (the "Choi Group") by their counsel, will hereby move this Court, on a date and at such time as may be designated by the Court, for an Order (attached hereto as Exhibit A): (i) appointing the Choi Group as lead plaintiffs; (ii) approving the Choi Group's selection of the law firm of Schiffrin & Barroway, LLP to serve as lead counsel; (iii) approving the Choi Group's selection of the law firm of Shapiro Haber & Urmey, LLP to serve as liaison counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this motion, the Choi Group submits herewith a memorandum of law and declaration of Darren J. Check.

Dated: June 7, 2004.

Respectfully submitted,

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/s/Theodore M. Hess-Mahan

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that the parties' counsel have conferred in a good faith attempt to narrow or resolve the issues raised in this motion. Defendants take no position on this motion at this time.

/s/Theodore M. Hess-Mahan

Theodore M. Hess-Mahan